



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
**Response Under 37 C.F.R. § 1.116 Expedited Procedure**

In re application of: Kunst and Clemens

Art Unit: 1638

Application No. 09/806,708

Confirmation No.: 5955

Filed: April 3, 2001

For: REGULATION OF EMBRYONIC  
TRANSCRIPTION IN PLANTS

Examiner: Stuart Baum

Date: August 11, 2003

MAIL STOP AF  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on August 11, 2003 as First Class Mail in an envelope addressed to: MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Tanya M. Harding, Ph.D.  
Attorney for Applicants

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**NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of Examiner Stuart Baum mailed February 10, 2003, finally rejecting claims 1, 7, 13, 15-25, and 29-31. The fee for filing this Notice of Appeal (\$320.00 per 37 C.F.R. § 1.17 (b)) is enclosed. A petition for the required three-month extension of time accompanies the filing of this Notice of Appeal; the extension fee is also enclosed.

If any additional fees may be required in connection with filing this Notice of Appeal and any extension of time, deposit account authority is provided on the accompanying transmittal letter.

Respectfully submitted,  
KLARQUIST SPARKMAN, LLP

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By

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